

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FRIENDS OF ANIMALS,

Plaintiff,

vs.

DEB HAALAND, in her official
capacity as Secretary of the United
States Department of Interior; *et al.*,

Defendants.

CV-18-064-BLG-SPW-TJC

ORDER

On May 17, 2021, the Ninth Circuit Court of Appeals issued its order reversing the decision of this Court awarding summary judgment in favor of Defendants. (Doc. 47). The Ninth Circuit remanded the matter to this Court with instructions to award summary judgment in favor of Plaintiff. (*Id.* at 15). The Ninth Circuit's ruling took effect on July 9, 2021. (Doc. 48). As such,

IT IS HEREBY ORDERED that Plaintiff's motion for summary judgment (Doc. 32) is GRANTED.


IT IS FURTHER ORDERED that Defendants' motion for summary judgment (Doc. 35) is DENIED.

IT IS FURTHER ORDERED that, having found the notice provision invalid, the Service's decision denying Friends' petition is vacated, and the petition

is remanded to the agency to make an appropriate 90-day finding.

The Clerk of Court is directed to enter judgment in favor of the Plaintiff.

DATED this 19th day of July, 2021.



SUSAN P. WATTERS
United States District Judge